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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/422,127	10/20/1999	EDWARD Y. AJAMIAN	36255/JWE/B6	5145

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EXAMINER

LEE, PING

ART UNIT	PAPER NUMBER
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2644

DATE MAILED: 05/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/422,127

Applicant(s)

AJAMIAN, EDWARD Y.

Examiner

Ping Lee

Art Unit

2644

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7 is/are allowed.
- 6) ☒ Claim(s) 1-4,6 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Stadius (US 4,635,288).

Regarding claim 1, Stadius shows an intelligent control platform for routing, switching and mixing audio/video signals comprising a plurality of input ports (col. 4, line 66); a plurality of output ports (17); a control processor (col. 6, line 12; and Fig. 5); a plurality of selectable operational mode selection controls (10, 13-16, 18); and an adaptively configurable switch fabric (col. 5, lines 26-30; col. 6, lines 23-30; Fig. 3).

Regarding claim 2, Stadius further shows the mode select circuit (Fig. 3) adaptively configuring the matrix (107) to pass program signals along a default signal path (95, e.g.) devised to route the signal solely from the source (by 15; col. 5, line 9; col. 6, lines 20-23) to the destination (left 111, e.g.) while disabling any potential feedback signal paths (col. 6, lines 23-27). Stadius shows selecting either the direct path or sub-group control. By selecting the direct path, all other paths (the remaining switches in 104) are open circuits. There is no feedback signal path.

Regarding claim 3, Stadius shows the internal fader controls (99, e.g.). By adjusting the pointer of the fader to the upper most position, the signal bypasses the

fader. By adjusting the pointer of the fader to any lower position, the signal passes the internal fader.

Regarding claim 6, Stadius shows the crosspoint matrix fabric (104 and 107 in Fig. 2).

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Williams, Jr. (US 5,896,459).

Regarding claim 1, Williams shows an intelligent control platform for routing, switching and mixing audio/video signals comprising a plurality of input ports (12); a plurality of output ports (104,108,106); a control processor (Fig. 5); a plurality of selectable operational mode selection controls (selecting different input sources and output destinations); and an adaptively configurable switch fabric (110, 112, 114).

Regarding claim 2, Williams further shows the mode select circuit (Fig. 5) adaptively configuring the matrix (Fig. 4) to pass program signals along a default signal path (DRY OUTPUT) devised to route the signal solely from the source (12) to the destination (104) while disabling any potential feedback signal paths. Since Williams'

circuitry does not have any feedback signal path, the potential feedback signal paths are inherently not existed.

Regarding claim 4, Williams shows, in Fig. 3, the means for coupling the default signal path through an external mixer (114) or bypass the mixer ("DRY" output).

#### ***Allowable Subject Matter***

5. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. Claim 7 is allowable over the prior art in the record.

#### ***Response to Arguments***

7. Applicant's arguments filed 2/20/04 have been fully considered but they are not persuasive.

Applicant argued that neither references (Stadius and Williams) shows the system mixing video signal.

It is noticed that the limitation in claims specifies as "audio/visual signals". The punctuation is being read as "or". Therefore, both references disclose the claimed invention.

Applicant argued that Stadius fails to show the claimed "switch fabric" or "mode select circuit".

Stadius shows the ID switch 18 defining the sub-group of the inputs signals being mixed (col. 6, lines 9-13). Each ID switch is being read as the claimed "selectable operational modes". See col. 5, lines 26-30; col. 6, lines 23-30 and Fig. 3 for further explanation. The claimed matrix read on 107 of Fig. 2. The mode select circuit (Fig. 3) adaptively configures the matrix (the switches 105,106 are selectively activated). The claimed default signal path reads on 95 in Fig. 2. The direct connection between the source to the destination is by switch 15 (col. 5, lines 5-9). The potential feedback paths are disabled (col. 6, lines 23-27).

Applicant argued that Williams fails to show the claimed "switch fabric" or "mode select circuit".

Williams shows the switch fabric (110, 112, 114). The claimed "selectable operational modes" reads on the DRY, EFFECT, MAIN outputs. See col. 4, lines 56-61; col. 5, lines 11-20 for further explanation. The claimed matrix read on switches and the corresponding paths of Fig. 4. The mode select circuit (Fig. 5) adaptively configures the matrix (the switches in Fig. 4). The claimed default signal path reads on DRY. The direct connection between the source to the destination is by bus in 22 (Fig. 2). Since William's circuitry does have any feedback signal path, the potential feedback signal paths are inherently not existed.

### ***Conclusion***

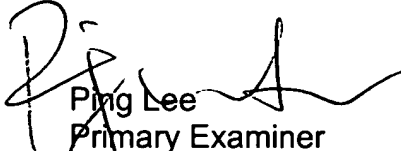
8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ping Lee whose telephone number is 703-305-4865. The examiner can normally be reached on Monday and Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W Isen can be reached on 703-305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Ping Lee  
Primary Examiner  
Art Unit 2644

pwl